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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) CASE NO. 15-CR-00226-BLF
14 Plaintiff,)
15 v.) JOINT STIPULATION FOR EXCLUSION OF
16 DOUGLAS STORMS YORK,) TIME FROM JULY 21, 2015, TO JULY 30, 2015,
17 Defendant.) [PROPOSED] ORDER TO EXCLUDE TIME FROM
18 _____) JULY 21, 2015, TO JULY 30, 2015

19
20 JOINT STIPULATION

21 On July 21, 2015, the parties appeared before the Honorable Beth L. Freeman for a status
22 conference on the superseding indictment in this matter. At the hearing, defense counsel, Graham
23 Archer was unavailable, and Varell Fuller requested a continuance of the matter until July 30, 2015 at
24 8:30 a.m. for further trial setting.

25 The parties hereby stipulate that the time between July 21, 2015, and July 30, 2015, at 8:30 a.m.,
26 should be excluded from the calculation of time within which the trial in this case must commence
27 pursuant to the Speedy Trial Act, in order to allow each counsel sufficient time to effectively prepare,
28 taking into account the exercise of due diligence. The parties stipulate that the ends of justice served by

JOINT STIPULATION FOR EXCLUSION OF TIME AND [PROPOSED] ORDER TO EXCLUDE TIME
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1 granting the request outweigh the best interest of the public and the defendant in a speedy trial. Further,
2 time should be excluded for continuity of counsel in this matter.

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4 DATED: July 27, 2015

Respectfully submitted,

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MELINDA HAAG
United States Attorney

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9 DATED: July 27, 2015

/s/
BRIANNA L. PENNA
Special Assistant United States Attorney

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[PROPOSED] ORDER

14 Pursuant to the parties' motion, the Court HEREBY ORDERS that the time between July 21,
15 2015, and July 30, 2015 be excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds,
16 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance
17 would deny counsel the reasonable time necessary for effective preparation, taking into account the
18 exercise of due diligence.

19 Furthermore, the Court finds that the ends of justice served by granting the requested
20 continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court
21 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and
22 (B)(iv).

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IT IS SO ORDERED.

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DATED:_____

HON. BETH L. FREEMAN
United States District Judge

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